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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,278	12/29/2000	William R. Matz	00882	8926

7590 01/29/2003

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EXAMINER

TRINH, MINH N

ART UNIT

PAPER NUMBER

3729

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/751,278	MATZ ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Minh Trinh	3729	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 November 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 41-51 is/are pending in the application.
- 4a) Of the above claim(s) 51 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 41-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other:  |

### DETAILED ACTION

1. Applicant's election of Group I (claims 41-50) in Paper No. 16 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. Claim 51 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 16.

An Office Action on the merits of claims 41-50 follows.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "A method for aligning an antenna..."

### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed "a planar attachment portion" (claim 41); "a structure"(claim 46); " must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 41-45 and 46-50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The recites "attaching a compass to the planar attachment portion" (claims 41 and 46) appear to be incorrect because there are no compass being associated thereof and the specification do not disclose such connection.

It is not clear what being claimed as "a structure" (claim 46, line 3).

"...said moving "(claim 47, line 2) lacks antecedent basis.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 41 and 46 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Hemmingsen II (US 5,977,922) in view of Jackson et al (US 6,188,372).

Hemmingsen II discloses the method for alignment an antenna reflector with a satellite of the present invention including: attaching a compass 42 to a rear portion of the antenna 10 (see Figure 4), moving the antenna to a position wherein the compass displays a reading that corresponds to a predetermined azimuth reading (figures 6-8, col. 1, lines 54-63, col. 3, lines 1-60), and retaining the antenna 10 in said position (col. 3, lines 62-67). Hemmingsen II does not teach the steps of defining a planar attaching portion on a rear surface of the antenna reflector. Jackson et al teach the defining a planar attaching portion on a rear surface of the antenna reflector such that the planar attachment portion includes a plane that is substantially perpendicular to a centerline axis 26 of the antenna reflector 12 (see Figs. 1-3b, col. 3, lines 35-46). Therefore, it would have been obvious to one having skill in the art to employ the teaching of defining a planar attaching portion on a rear surface of the antenna reflector such that the planar attachment portion includes a plane that is substantially perpendicular to a centerline axis of the antenna reflector as taught by Jackson et al as so to facilitate the aligning assembly process.

9. Claims 42, 43 and 47-48 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Hemmingsen II in view of Jackson et al.

As applied to claims 42 and 47, it would have been obvious to one ordinary skill in the art, at the time of the invention to modify the method invention of Hemmingsen II

or Jackson et al as modified above by employ the detaching of the compass from it planar attaching portion as so to simplify the alignment steps.

As applied to claims 43 and 48, with respect to the attaching of a digital compass to the rear of the antenna. It would have been an obvious matter of design choice to choose any compass since applicant has not disclosed that the use of a digital compass solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the conventional compass type as taught by the applied prior art.

10. Claims 44 -45 and 49-50 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Hemmingsen II in view of Jackson et al as applied above and further in view of Chou (US 5,647,134).

As applied to claims 44 and 49, Hemmingsen II or Jackson et al does not teach the compass has at least one pin and the pin being coupled to the associated socket formed in the planar attachment portion. Chou teaches the compass 20 having pin 24 being coupled to an associated socket 14 of the antenna reflector 10. Therefore, It would have been an obvious to one having skill in the art at the time of the invention to utilize the compass has at least one pin and the pin being coupled to the associated socket formed in the planar attachment portion as taught by Chou, efficiency of the operations would result.

As applied to claim 45, it would have been an obvious matter of design choice to choose any desired number of sockets and pins since applicant has not disclosed that the claimed three sockets and pins would really solve any stated problem or is for any

particular purpose and it appears that the invention would perform equally well with the two sockets operatively associated with two pins of the compass as taught by Chou.

As applied to claim 50, it would have been an obvious matter of design choice to choose any desired number of sockets and pins since applicant has not disclosed that the claimed T-shape would really solve any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the configurations taught by Chou.

### ***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7307 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.



PETER VO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700

mt  
January 25, 2003